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UNCLAS SECTION 01 OF 02 GUATEMALA 001357

SIPDIS

SENSITIVE

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SUBJECT: FRG NOMINATES RIOS MONTT FOR PRESIDENT

REF: GUATEMALA 1172

1. (SBU) Summary: The ruling Guatemalan Republican Front (FRG) nominated its founding leader, Efraín Ríos Montt, for President; former Agriculture Minister Edin Barrientos for Vice President; and corrupt former Minister of Public Works Luis Rabbe was nominated for Mayor of Guatemala City by a party conclave on May 24. The selection of Ríos Montt does not ultimately resolve the issue of whether he will be the FRG standard-bearer, as constitutional challenges are expected to emerge once the FRG registers his candidacy with the Supreme Electoral Tribunal. For the moment, however, Ríos Montt's candidacy could help unify a fragmented opposition. End Summary.

2. (U) At a party assembly on May 24, the ruling FRG nominated retired General and former de facto head of state Efraín Ríos Montt for President, and Edin Barrientos for Vice President. Party leaders announced that they will decide by the end of May when they will officially register their candidate with the Supreme Electoral Tribunal (TSE). The NGO Center for the Defense of the Constitution (CEDECON) has already announced that it will challenge the constitutionality of Ríos Montt's eligibility to run for President, in the event the TSE allows him to register. The Constitutional Court ruled against Ríos Montt's presidential candidacy in 1990, based on Constitutional Article 186 (a), which prohibits candidates who attained power through extra-constitutional means from eligibility to run for president. The composition of the Constitutional Court has changed, however, and under Guatemalan law, decisions of the Constitutional Court are not binding on future decisions. Ríos Montt has assembled a "dream team" of constitutional lawyers, including former Foreign Minister Gabriel Orellana, to argue his case. They will argue that the constitutional principle of non-retroactivity should be applied to this case, since the Constitution took effect in 1985, after Ríos Montt had been installed by coup d'état and served as head of government in 1982-83.

3. (SBU) Edin Barrientos, Ríos Montt's running-mate, had served as Agriculture Minister and previously worked as a consultant to USAID. The FRG gave prominent billing at its assembly to Luis Rabbe, the FRG candidate for Mayor of Guatemala City. Rabbe has been the subject of numerous lawsuits for his mishandling of state funds while he was Minister of Public Works.

4. (U) A Prensa Libre-commissioned political opinion poll published May 27 put GANA coalition presidential nominee Oscar Berger in front of voter preferences with 39%, followed by Alvaro Colom of the National Unity of Hope Party (UNE) at 9% and Ríos Montt at only 4%; 33% of the 1,200 people polled nationwide were undecided and 7% said they would not vote for anyone. The poll was also reported that widespread confusion over Berger's abandonment of the National Advancement Party (PAN); 32% believe that Berger is still the PAN candidate, and the PAN ranked as the highest chance of winning the elections, with 39%. (Note: Berger left the PAN after differences with party secretary Leonel López Rodas on May 1 (RefTel). He now heads the GANA coalition comprised of the Patriotic Party (PP), the Reform Movement (MR), and the National Solidarity Party (PSN). End Note.)

Comment

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5. (SBU) The FRG's affirmation of Ríos Montt as its presidential standard-bearer sets the stage for the General to face constitutional challenges head-on in the five months remaining before the elections. It shifts the political focus to the Constitutional Court, which is expected to rule on his candidacy by the end of June. If challenges are raised and the court rules in Ríos Montt's favor, he will be free to run. The selection of Barrientos for the vice presidency helps balance (i.e. improve) the FRG's image with the electorate, but FRG insiders tell us that Barrientos is not viewed as a possible substitute for Ríos Montt. The more revealing move, in our view, was the FRG's selection of notoriously corrupt former Public Works Minister Luis Rabbe for Mayor.

16. (SBU) The recent poll, commissioned and executed by anti-government media, is consistent with previous polls showing the FRG and Rios Montt as also-rans, though we would warn that polls are often misleading in Guatemala. Berger cannot be too sanguine about his lead, however, as the polls also reflect his precipitous drop since entering the race as the presumptive PAN candidate in October, 2002. (Note: In 1999, Berger also entered the race the favorite, left the PAN and then returned, and lost in a landslide to the FRG's Portillo. End Note.) Nevertheless, Berger will benefit from the FRG's nomination of Rios Montt, which is likely to polarize the presidential race between FRG and anti-FRG forces. Berger is attempting to broaden his coalition by courting the Left, and Rios Montt's long-awaited decision to run may lead some to overcome their scruples and join with Berger in the hopes that unifying the opposition is the only way to defeat Rios Montt.  
HAMILTON